IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF MISSOURI SOUTHWESTERN DIVISION

UNITED STATES OF AMERICA,)	
Plaintiff,)	
v.)	No. 18-05023-19-CR-SW-SRB
JOHN GABRIEL MARTINEZ,)	
Defendant.)	

<u>ORDER</u>

Before the Court is Defendant's Motion for a Bail Hearing and an Order Granting His Release. (Doc. 399.) Defendant is detained at the Phelps County Jail awaiting trial on November 30, 2020. On January 9, 2020, following a detention hearing, the Honorable Kendall J. Newman of the U.S. District Court for the Eastern District of California found Defendant's detention to be warranted, based on a preponderance of evidence that no condition or combination of conditions of release will reasonably assure Defendant's appearance as required and clear and convincing evidence that no condition or combination of conditions of release will reasonably assure the safety of any other person and the community. (Case 2:20-mi-00002-DB, doc. 4, E.D. Cal. Jan. 9, 2020.) Defendant now moves the Court to reconsider his detention.

The undersigned has reviewed the motion, the Pretrial Services Reports (docs. 350, 405) and the Government's Response (doc. 404). While recognizing Defendant's concerns regarding the spread of the coronavirus (COVID-19), the undersigned does not find his arguments compelling in light of his flight risk and danger if released. Therefore, for the reasons set forth in the Government's response, the Motion for a Bail Hearing and an Order Granting His Release is **DENIED**.

IT IS SO ORDERED.

/s/ David P. Rush
DAVID P. RUSH
UNITED STATES MAGISTRATE JUDGE

DATE: May 18, 2020